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Paper 24  
Filed: June 8, 2009

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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JOHN T. GRAY, RICHARD MULLIGAN,  
AND JENG SHIN LEE,  
Junior Party  
(U.S. Patent 6,958,226),

v.

ALAN JOHN KINGSMAN, KYRIACOS MITROPHANOUS,  
AND NARRY KIM,  
Senior Party  
(U.S. Application 10/351,938).  
Patent Interference No. 105,672 (MPT)  
(Technology Center 1600)

JUDGMENT – PRIORITY – Bd. R. 127

Before: SALLY G. LANE, SALLY C. MEDLEY, and MICHAEL P. TIERNEY,  
*Administrative Patent Judges.*

TIERNEY, *Administrative Patent Judge.*

Kingsman's involved '938 application and Gray's involved '226 patent are  
now assigned to the same real party in interest: Oxford BioMedica (UK) Limited,  
Oxford BioMedica, plc, and BioMedica, Inc. (Paper 17, p. 2, ll. 3-5). Counsel for

1 Kingsman and Gray, in response to an Order to Show Cause (Paper 20), requested  
2 that judgment on priority of invention be awarded against the Junior Party Gray  
3 '226 patent. (Paper 21, p. 1, ll. 1-6). Accordingly,

4 It is:

5 Ordered that judgment be entered against all of the involved Junior Party  
6 Gray '226 patent claims, claims 1-22.

7 Further Ordered that claims 1-22 of the involved Gray, U.S. Patent  
8 6,958,226 be CANCELED, 35 U.S.C. §135(a).

9 Further Ordered that a copy of this judgment be entered in the  
10 administrative records of the involved U.S. Patent 6,958,226 and U.S. Application  
11 10/351,938.

1 cc: (electronic filing)  
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